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From: G. Byron Stover; phone 301-504-4783, fax 301-504-5060

NOV 17 2004

To: Examiner Rajguru (Group 1711) Fax # 703-872-9306

RE: Serial No. 10/750,464

Date: 17 November 2004

Pages: 4 including cover page


Enclosed is a response to an Office Action. Entry of said response is respectfully requested.

[X] Reply To Requirement For Election Of Species (3 pages)

[X] Certificate of Transmission (1 page)

CERTIFICATE OF FILING VIA FACSIMILE

The undersigned hereby certifies that the attached Reply To Requirement For Election Of Species was this day, 17 November 2004, filed in the U.S. Patent and Trademark Office via facsimile to facsimile number 703-872-9306. Total pages: 4


G. Byron Stover

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Justin R. Barone et al.

Serial No.: 10/750,464

Examiner: U. Rajguru

Filed: 12 December 2003

Group Art Unit: 1711

For: Polymer Composites Containing Keratin

REPLY TO REQUIREMENT FOR ELECTION OF SPECIES

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Alexandria, VA 22313-1450

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Sir:

In complete response to the Office Action dated 26 October 2004, Applicants hereby elect for searching purposes only the species of polypropylene in claims 2 and 3 and the species of avian feathers in claim 5.

It is respectfully pointed out that, according to MPEP Section 803, in order for a restriction requirement to be proper, two criteria must be met:

- (1) the inventions must be independent or distinct as claimed, and
- (2) there must be a serious burden on the examiner if restriction is not required.

In the instant application, it is believed that a search for a polymer composite comprising keratin and polypropylene would simultaneously encompass a search for any polymer composite comprising keratin and at least one polymer. One of ordinary skill in the art would not limit the experiments to a particular species or class of polymer but would try various polymers and/or

combinations and report this in any paper or patent application. Therefore, there would be no serious burden on the Examiner to search for the various polymers since a search for one polymer could be expected to be found in the same reference as that disclosing another similar polymer.

Furthermore, in the instant application, it is believed that a search for a polymer composite comprising avian feathers and at least one polymer would simultaneously encompass a search for any polymer composite comprising keratin and at least one polymer. One of ordinary skill in the art would not limit the experiments to a particular source of keratin but would try various sources of keratin and/or combinations and report this in any paper or patent application. Therefore, there would be no serious burden on the Examiner to search for the various sources of keratin since a search for one source of keratin could be expected to be found in the same reference as that disclosing another similar source of keratin.

For this reason, it is respectfully requested that the Examiner reconsider the restriction requirement and examine the invention comprising all species of the polymer and source of keratin.

In the event that there are any questions relating to the application in general, it is respectfully requested that the undersigned be contacted so that prosecution of this application can be expedited.

Respectfully submitted,

By: G. Byron Stover
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